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WALLA WALLA COUNTY
WASHINGTON

BY 

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WALLA WALLA

CASE NO. **20 2 00575 36**

Susan Brown, individual

Plaintiff,

v.

AutoZone Parts, Inc., a foreign corporation

Defendant.

COMPLAINT FOR VIOLATIONS OF
WASHINGTON LAW AGAINST
DISCRIMINATION, VIOLATIONS OF
WASHINGTON'S MINIMUM WAGE
REQUIREMENTS & LABOR
STANDARDS, AND WRONGFUL
DISCHARGE AGAINST PUBLIC POLICY

INTRODUCTION

Defendant AutoZone Parts, Inc. hired a sexually exploitive manager and failed to intervene to stop his egregious acts. Defendant stood by while their manager discriminated, harassed and embarrassed female employees. When one female employee finally stood up to assert her legal rights, Defendant took the atrocious decision to deny her rights and constructively discharged her. Defendant then kept the sexually exploitive manager in the same position of power.

COMPLAINT

- 1 -

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I. PARTIES

1.1 Plaintiff Susan Brown (“Ms. Brown”) was at all times relevant hereto a resident of Walla Walla County, Washington.

1.2 Defendant AutoZone Parts, Inc. (“AutoZone”) is a foreign profit corporation. Its parent company AutoZone, Inc. earned over \$11 billion in total revenue in 2019. AutoZone does business in Walla Walla County, Washington.

II. JURISDICTION & VENUE

2.1 Jurisdiction and Venue is proper in this Court because all acts discussed within this complaint occurred within Walla Walla County, Washington and Plaintiff was damaged financially by Defendant’s misdeeds.

III. FACTUAL ALLEGATIONS

3.1 AutoZone’s parent company AutoZone, Inc. is a publicly traded company and earned over \$11 billion in total revenue in 2019. AutoZone owns a retail auto parts store in Walla Walla County, Washington. AutoZone employed Chris Valdez as their store manager in Walla Walla, Washington. Mr. Valdez is married and has three young children.

3.2 Prior to Mr. Valdez’s employment with AutoZone, he worked as a store manager for O’Reilly Auto Parts in Walla Walla, Washington. As store manager, he sexually harassed female employees. Mr. Valdez had sex in the store with a subordinate female employee. O’Reilly Auto Parts discovered the transgression and immediately terminated Mr. Valdez’s employment with O’Reilly Auto Parts. After Mr. Valdez’s termination from O’Reilly Auto Parts, AutoZone negligently hired Mr. Valdez as their store manager in their Walla, Walla store.

1 3.3 In December 2018, Plaintiff Ms. Brown interviewed for a part-time delivery
2 driver with AutoZone at their Walla Walla store. Mr. Valdez, the store manager, interviewed
3 Ms. Brown.

4 3.4 During the interview, Ms. Brown told Mr. Valdez that she has a disability called
5 Chiari Malformation and as a result she would need to attend doctor appointments in the future
6 for her disability. Mr. Valdez said that would be fine. He later offered Ms. Brown a job at
7 AutoZone's Walla Walla store.

8 3.5 Around February 1, 2019, Ms. Brown started working as a part-time driver for
9 AutoZone. She loved her job and excelled quickly.

10 3.6 Soon after being hired, Mr. Valdez made sexual advances on Ms. Brown. Being
11 a newly hired employee, Ms. Brown was taken back by Mr. Valdez's sexual advances but
12 acquiesced to the advances.

13 3.7 Mr. Valdez began switching employees' schedules so that he could be alone
14 with Ms. Brown in the morning. He told Ms. Brown that he wanted to spend time with her and
15 that's why he made it so other employees would not come into work for the first couple hours.
16 He told her that he did this so it could be just her and him alone together.

17 3.8 Most mornings while opening the store during work hours, Mr. Valdez had sex
18 with Ms. Brown in AutoZone's store. Many times Mr. Valdez had sex with Ms. Brown in
19 AutoZone's bathroom. Mr. Valdez also had sex multiple times with Ms. Brown in AutoZone's
20 management office.

21 3.9 AutoZone reported that they were very pleased with Ms. Brown's work.
22 AutoZone gave Ms. Brown excellent job reviews. In the summer of 2019, AutoZone promoted
23 Ms. Brown to Commercial Sales Manager.

1 3.10 While working, Mr. Valdez told Ms. Brown, “you should stop doing your paper
2 work and go to the back room so I can fuck you.”

3 3.11 On multiple occasions, Mr. Valdez walked up behind Ms. Brown while she was
4 working and slapped her buttocks while audibly saying for another male employee to hear, “oh
5 yeah that’s mine and it’s so good.” Gilbert Uribre, AutoZone’s employee, witnessed this
6 harassing behavior.

7 3.12 On nearly a daily basis, Mr. Valdez walked up behind Ms. Brown and grabbed
8 her buttocks or vagina.

9 3.13 During this time, Mr. Valdez also harassed another of AutoZone’s female
10 employees, Victoria Van Marelo.

11 3.14 One workday, Ms. Van Marelo was in the office doing her paperwork. Mr.
12 Valdez came up from behind her and told her, “I want to fuck you” and he reached up from
13 behind her and started rubbing her vagina through her pants. Ms. Van Marelo immediately
14 turned around and pushed his hand away and told him to stop. She told him that she was engaged
15 to be married and that she would never sleep with him.

16 3.15 Mr. Valdez told Ms. Van Marelo that he had fantasies about her and Ms. Brown
17 engaging in sexual activity while he watched.

18 3.16 In at least one interaction at work, Mr. Valdez told Ms. Van Marelo and Ms.
19 Brown that he wanted to have a threesome with them.

20 3.17 On several occasions, Mr. Valdez walked up behind Ms. Brown and whispered
21 in her ear, “I’m hard, I want to fuck you and Victoria right now.”

22 3.18 One work day, Mr. Valdez called both Ms. Van Marelo and Ms. Brown into his
23 office and asked them if they would be willing to have a threesome with him. Ms. Brown and

1 Ms. Van Marelo immediately said “no”. Several days later when Ms. Van Marelo and Ms.
2 Brown were alone in the store with Mr. Valdez, Mr. Valdez told the two female employees that
3 he wanted to watch them touch each other and get each other off and wanted them to kiss and
4 make out so he could watch.

5 3.19 While at work and in front of Ms. Brown, Mr. Valdez bragged to another male
6 employee, Gilbert Uribre, that he’s so attractive that he will get his way with any female and
7 will have sex with anyone he wants.

8 3.20 Mr. Valdez traveled to other cities to perform trainings on behalf of AutoZone.
9 Several days prior to his travel date, Mr. Valdez stated to employees, “I’m gonna look for a
10 piece of ass” and “I’m gonna buy beer and take some trainee girls back to my hotel to get drunk
11 and fuck them.”

12 3.21 After returning from one such work training, Ms. Brown saw Mr. Valdez at work
13 showing pictures of trainee girls he got drunk and had sex with to Mr. Uribre. Ms. Brown heard
14 Mr. Uribre comment, “damn how good was that” and “did you fuck one or did you get a couple
15 girls.”

16 3.22 During one work training, Mr. Valdez sent Ms. Brown pictures and videos on
17 snap chat of a hotel room with the bed full of beer and Ms. Brown heard in the video girls
18 laughing drunk. Mr. Valdez then stated that he was getting laid for sure that night.

19 3.23 On several occasions, Mr. Valdez stated at work that he couldn’t wait to go do
20 training because it was his time to go get drunk get paid for it and go fuck who he thought was
21 the hottest girl.

22 3.24 Sexual harassment wasn’t limited to AutoZone’s employees. Many times when
23 an attractive woman walked into AutoZone’s store, Mr. Valdez would tell employees, “damn,

1 I wanna bend her over.” On one occasion, Mr. Valdez yelled, “I already fucked your girl” as a
2 male customer was walking out with a woman.

3 3.25 In the fall of 2019, Mr. Valdez began punishing Ms. Van Marelo because she
4 refused to have sex with him.

5 3.26 Mr. Valdez also began punishing Ms. Brown because she had started pulling
6 away from him. On more than one occasion, Mr. Valdez screamed at Ms. Brown and yelled,
7 “You need to get your shit together otherwise I’m gonna demote you from your manager
8 position.”

9 3.27 In October 2019, Ms. Van Marelo quite working for AutoZone due to the
10 constant sexual harassment by Mr. Valdez. Ms. Van Marelo was terrified of Mr. Valdez and
11 could not continue to work at AutoZone’s store.

12 3.28 In November 2019, Ms. Brown garnered enough courage and told Mr. Valdez
13 that she would not continue their sexual relationship. Mr. Valdez’s punishments towards Ms.
14 Brown increased exponentially.

15 3.29 Ms. Brown complained several times to her direct superior, Gilbert Uribe, about
16 Mr. Valdez’s actions.

17 3.30 On multiple occasions, Ms. Brown broke down crying to Mr. Uribe
18 communicating the wrongful behavior of Mr. Valdez. Mr. Uribe responded by telling Ms.
19 Brown, “since Mr. Valdez is the store manager, you won’t be taken seriously if you tell HR.”
20 Mr. Uribe continued, “there isn’t much that you can do.”

21 3.31 On February 18, 2020, Ms. Brown requested to use her accrued medical leave
22 to attend a doctor’s appointment on March 3, 2020 related to her Chiari Malformation disability.
23

1 3.32 The night before March 3, 2020, Mr. Valdez requested that Ms. Brown come
2 into work in the morning so he could talk to her. Ms. Brown went into work as requested. When
3 she arrived, Mr. Valdez yelled and screamed at her for missing work for her doctor's
4 appointment. Mr. Valdez screamed, "it seems you don't want to do your job and take on the
5 responsibility of a manager and since you don't care and don't want to do your job get the fuck
6 out of my store." Ms. Brown started to cry and asked Mr. Valdez what she had done wrong,
7 Mr. Valdez began to curse her out, screaming at Ms. Brown in front of customers and another
8 employee and yelled, "I don't give a shit if you're dying, your job is the only thing that matters
9 to me, I don't care about you or your health, your job comes first." Ms. Brown stood there
10 crying and then left to her scheduled doctor's appointment.

11 3.33 Mr. Valdez's behavior scared Ms. Brown and she was fearful for her well-being.
12 She immediately scheduled a meeting with AutoZone's district manager and did not go back to
13 work for 2 days.

14 3.34 On March 6, 2020 Ms. Brown met with AutoZone's district manager, Mr.
15 Ramirez, and Mr. Valdez. Ms. Brown made a complaint regarding the treatment she received
16 from Mr. Valdez for using her accrued medical leave. At the end of the meeting, Mr. Valdez
17 told Ms. Brown that he can't work with Ms. Brown moving forward. AutoZone's district
18 manager and Mr. Valdez retaliated against Ms. Brown by telling her that she needed to give a
19 30-day notice of resignation by the next day. Ms. Brown told them that she did not want to quit
20 her job.

21 3.35 On March 6, 2020, Ms. Brown spoke to AutoZone's general manager Nathan
22 Myers. Ms. Brown expressed to Mr. Myers that she wanted to keep working but that she was
23 afraid of the work environment. Mr. Myers told her that it would be a smart idea not to come

1 back to work because Mr. Valdez told him that if he saw Ms. Brown back at work he would
2 start a fight with her or do something that would get him fired.

3 3.36 On March 6, 2020, Gerald Brown, an employee of the GMC car dealership and
4 commercial customer of AutoZone called AutoZone's store and asked to speak with Ms.
5 Brown. Mr. Valdez told the customer that Ms. Brown had "walked out on the job" and that "she
6 doesn't care about her job." Later that same day, Mr. Valdez took parts to Gerald. Gerald asked
7 Mr. Valdez what happened with Ms. Brown. Mr. Valdez responded by admitting to Gerald that
8 Ms. Brown wasn't at work because he blew up so violently at her that she was afraid to come
9 back to work.

10 3.37 Ms. Brown went to work the next day. At the end of her work day, Mr. Valdez
11 came up behind her and prevented her from clocking out and said, "You can't leave this store
12 until you sign a 30-day notice of resignation. You have to give a 30-day notice right now or
13 you can't clock out and you are not allowed to leave this store." Ms. Brown told Mr. Valdez
14 that she did not want to resign. Mr. Valdez then gave her a piece of paper and told her to sign a
15 30-day notice of resignation. Mr. Valdez stood there not allowing Ms. Brown to clock out or
16 leave the store. Ms. Brown started crying. Ms. Brown wrote on the paper that she was giving
17 notice of resignation and signed it. Ms. Brown turned around and handed the paper to Mr.
18 Valdez. She told him, "this isn't right." Ms. Brown then clocked out and left the store.

19 3.38 Mr. Valdez constructively discharged Ms. Brown wrongfully terminating Ms.
20 Brown from her employment.

21 3.39 Mr. Valdez and Ms. Brown's direct supervisor, Mr. Uribe, continued to harass
22 and disparage Ms. Brown after her wrongful discharge. Mr. Valdez and Mr. Uribe defamed
23 Ms. Brown in front of other businesses and customers. Mr. Valdez falsely told several related

1 businesses that Ms. Brown walked out on her job and didn't care about her job. This retaliation
2 and defamation against Ms. Brown destroyed her career opportunities in Walla Walla,
3 Washington.

4 3.40 Ms. Brown interviewed for similar jobs at other businesses in Walla Walla,
5 Washington but each time she was told that since she didn't care about her previous job and
6 walked out on it that they couldn't hire her.

7 3.41 In addition to slandering Ms. Brown in front of other businesses, Mr. Uribe told
8 another employee, Connie Hoover, that Ms. Brown was sick with the Coronavirus and that she
9 was spreading it around town knowingly killing people. In reality, Ms. Brown was not sick with
10 the Coronavirus.

11 3.42 Walla Walla is a small town. Mr. Valdez and Mr. Uribe's unlawful comments
12 have prevented Ms. Brown from obtaining new employment and have damaged Ms. Brown
13 emotionally.

14 3.43 On April 15, 2020, Ms. Brown filed a formal charge of discrimination against
15 AutoZone with the Washington State Human Rights Commission and Employment
16 Opportunity Commission ("EEOC").

17 3.44 As a direct result of AutoZone's wrongful conduct, Ms. Brown has suffered
18 emotional harm including emotional distress, humiliation, embarrassment, fear, anxiety, loss of
19 enjoyment of life, mental anguish, injury to reputation, and loss of self-esteem to date and with
20 reasonable probability to be experienced by Ms. Brown in the future.

21 3.45 As a direct result of AutoZone's wrongful conduct, Ms. Brown has suffered lost
22 wages in the form of front and back pay, lost employment benefits, a loss of employment
23 opportunities, a loss of professional standing, and emotional harm.

1 3.46 AutoZone is liable for the actions of its agents under the doctrine of respondeat
2 superior.

3 **IV. CAUSES OF ACTION**

4 4.1 Plaintiff re-alleges and incorporates by reference each allegation set forth
5 herein.

6 4.2 The facts set forth a claim for discrimination including disparate treatment in
7 violation of the Washington Law Against Discrimination, RCW 49.60 *et. al.*

8 4.3 The facts set forth a claim for sexual harassment (hostile work environment)
9 and disability harassment (hostile work environment) in violation of the Washington Law
10 Against Discrimination, RCW 49.60 *et. al.*

11 4.4 The facts set forth a claim for retaliation in violation of the Washington Law
12 Against Discrimination, RCW 49.60.210.

13 4.5 The facts set forth a claim for wrongful discharge and/or discrimination in
14 violation of RCW 49.46 *et al.*

15 4.5 The facts set forth a claim for constructive discharge in violation of public
16 policy.

17 **V. PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiffs ask this Court to enter a judgment against Defendant and to
19 award damages as follows:

20 5.1 Damages for back pay, front pay, and lost benefits in an amount to be proved
21 at trial;

22 5.2 Damages for emotional harm;

5.3 A judgment against Defendant awarding Plaintiffs' costs of suit and a reasonable sum for attorney fees.

5.4 Pre and post judgment interest at the maximum rate allowed by law.

5.5 Such other and further and different relief as the Court deems just and proper.

RESPECTFULLY SUBMITTED this November 3, 2020.

~~By:~~

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